

Adopted	Rejected
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COMMITTEE REPORT

YES:	7
NO:	0

MR. SPEAKER:

*Your Committee on Local Government, to which was referred House Bill 1182, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, line 3, after "(a)" insert "**As used in this section, "charge**
- 2 **description master" means a listing of the amount charged by a**
- 3 **hospital for each service, item, and procedure:**
- 4 **(1) provided by the hospital; and**
- 5 **(2) for which a separate charge exists.**
- 6 **(b)".**
- 7 Page 1, line 3, delete "has" and insert "**means a detention**
- 8 **described in IC 35-41-1-18 (a)(1), (a)(2), (a)(3), (a)(6), (a)(7), or**
- 9 **(a)(9)".**
- 10 Page 1, delete line 4.
- 11 Page 1, line 5, delete "(b)" and insert "**(c)".**
- 12 Page 1, line 17, delete "(c) A" and insert "**(d) Except as provided**
- 13 **in subsection (e), a".**
- 14 Page 2, line 6, delete "Medicaid fee for service" and insert "**federal**

1 Medicare reimbursement rate for the health care service provided
2 plus four percent (4%).

3 (e) If there is no federal Medicare reimbursement rate for a
4 health care service described in subsection (d), the county shall do
5 the following:

6 (1) If the health care service is provided by a hospital, the
7 county shall reimburse the hospital an amount equal to
8 sixty-five percent (65%) of the amount charged by the
9 hospital according to the hospital's charge description master.

10 (2) If the health care service is provided by a physician or
11 another health care provider, the county shall reimburse the
12 physician or health care provider an amount equal to
13 sixty-five percent (65%) of the amount charged by the
14 physician or health care provider.

15 (f) This section expires June 30, 2011.

16 SECTION 2. IC 36-2-13-18 IS ADDED TO THE INDIANA CODE
17 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
18 1, 2009]: Sec. 18. (a) As used in this section, "lawful detention"
19 means a detention described in IC 35-41-1-18 (a)(1), (a)(2), (a)(3),
20 (a)(6), (a)(7), or (a)(9).

21 (b) This section does not apply to a person who is subject to
22 lawful detention and is:

23 (1) covered under private health coverage for:

24 (A) medical care;

25 (B) dental care; or

26 (C) another health care service; or

27 (2) willing to pay for the person's own health care services.

28 (c) A sheriff of a county may not release a person subject to
29 lawful detention solely for the purpose of preventing the county
30 from being financially responsible under IC 11-12-5-5.5 for health
31 care services provided to the person.

32 (d) If a county violates subsection (c), the county remains
33 financially responsible under IC 11-12-5 for health care services
34 provided to the person released from lawful detention.

35 (e) A county is financially responsible under IC 11-12-5 for
36 health care services provided to a person at a hospital if the person
37 was subject to lawful detention by the sheriff at the time the person
38 entered the hospital's premises.

1 (f) If a person is subjected to lawful detention after entering the
 2 premises of a hospital, the county in which the hospital is located
 3 is financially responsible under IC 11-12-5 for the health care
 4 services provided to the person while the person is subject to lawful
 5 detention.

6 (g) For purposes of this section, if a sheriff brings a person
 7 subject to lawful detention onto the premises of a hospital or
 8 subjects a person to lawful detention after the person enters the
 9 premises of a hospital, the sheriff shall remain on the premises of
 10 the hospital and within reasonable proximity to the person while
 11 the person receives health care services at the hospital unless:

12 (1) the person's medical condition renders the person
 13 incapable of leaving the hospital; and

14 (2) the person does not pose a threat to hospital personnel or
 15 property or to others at the hospital.

16 (h) This section does not prevent or limit the application of
 17 IC 11-12-5-5 concerning the making of copayments by a person
 18 confined to a county jail.

19 (i) A county that is responsible for paying the medical care
 20 expenses of a county jail inmate under IC 11-12-5-6 is responsible
 21 for paying the medical care expenses of the inmate under this
 22 section.

23 (j) This section does not supersede a written agreement:

24 (1) between:

25 (A) a physician, a hospital, or another health care
 26 provider; and

27 (B) a sheriff;

28 concerning reimbursement for health care services provided
 29 to a person subject to lawful detention; and

30 (2) entered into or renewed before July 1, 2009.

31 (k) This section expires June 30, 2011."

- 1 Page 2, delete line 7.
- 2 Page 2, line 16, delete "2013." and insert "**2011.**".
- 3 Renumber all SECTIONS consecutively.
(Reference is to HB 1182 as introduced.)

and when so amended that said bill do pass.

Representative Smith V